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FILED

DEC 10 2008

BOARD OF PHARMACY

By: Megan Cordoma
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
	:	CONSENT ORDER
BRYAN BRILLHART, R.P.	:	
License No. 28R101610100	:	
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of information that Bryan Brillhart, R.P. ("respondent") was terminated from his employment with Capital Health Systems on or about December 22, 2007, for altering prescriptions without authorization. Specifically, on multiple occasions, respondent received legitimate verbal prescriptions from his own treating physician for the controlled substance Hydrocodone. When respondent transcribed the prescription onto a hospital blank at his place of employment, he changed the name of the prescribing doctor and indicated that the prescription was for his father-in-law. The prescriptions were then filled by another

pharmacist at Capitol Health and respondent accepted the hydrocodone for his own use.

Respondent appeared before the Board on June 25, 2008 and testified that he was involved in a serious automobile accident on or about July 21, 2006 in which he suffered extensive injuries to his back and neck, including four cervical herniated discs, two bulging discs, two bulging lumbar discs, and annular tears in his lumbar region. Respondent testified that these injuries left him in chronic pain for which he received legitimate prescriptions for hydrocodone from his treating physician. Respondent explained that he altered the prescriptions for hydrocodone to reflect his father-in-law's name instead of his own because he feared repercussions if his employer learned that he was taking pain medications.

The parties, having agreed to the resolution of this matter without further formal proceedings, and respondent having agreed and given his voluntary consent to the within Order, and the Board finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown,

IT IS THEREFORE ON THIS DAY OF 2008,

ORDERED AND AGREED THAT:

1. Respondent's license shall be suspended for one (1) year, said suspension shall be stayed, and his license shall be placed on probation for three years effective immediately upon the filing of this Order.

2. During his period of probation, Respondent shall be

subject to the following conditions:

- a. Respondent shall provide a copy of the Order to all present and future employers where a pharmacy license is required for employment or where the respondent has access to medication, prescriptions or patient profiles. Respondent shall ensure that each employer notifies the Board in writing that he or she has received this Order.
- b. Respondent shall inform the Board in writing of any employment changes, including periods when he is unemployed, and shall provide a detailed description of his job, role and responsibilities.
- c. Respondent shall not act as a preceptor or a pharmacist-in-charge (RPIC) at any pharmacy and shall not own or have an ownership interest in any pharmacy for the three year period of probation commencing on the entry of this Order.
- d. Respondent hereby consents to the automatic entry of an Order actively suspending his license without notice for the remaining period of his probation, upon the Board's receipt of any information which the Board in its sole discretion deems reliable that Respondent has diverted medication, falsified prescriptions or has failed to comply with any of the conditions set forth in this Order. Respondent shall have the right to apply for removal of the automatic suspension on five (5) days notice but in such event shall be limited to a showing that the information submitted and upon which the Board relied was materially false. In addition, the Board reserves the right to bring further disciplinary action and place restrictions and/or limitations upon Respondent's certificate to practice as a Pharmacist in the State of New Jersey.

3. Respondent shall take and successfully complete, at his own expense, either the ProBe or Prime ethics course. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved which was unconditional and without reservations.

Respondent shall submit to the Board verification of the successful completion of said course within one year of signing the Order.

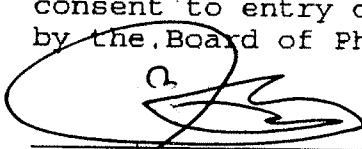
4. Respondent shall pay costs of the investigative inquiry held on June 25, 2008 in the amount of \$365.00 which shall be paid by means of certified check or money order made payable to the New Jersey State Board of Pharmacy to be remitted contemporaneously with his submission of this Order.

5. In the event that Respondent seeks to amend the terms of this Order at any time in the future, Respondent may be required to appear before the Board of Pharmacy or a committee of the Board of Pharmacy.

NEW JERSEY STATE BOARD OF PHARMACY

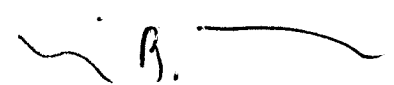
By: Thomas F.X. Bender, Jr., R.Ph.
Thomas F.X. Bender, Jr., R.Ph.
Vice President

I have read the within Order,
understand its terms and agree
to be bound by them. I
consent to entry of the Order
by the Board of Pharmacy.


Bryan Brillhart, R.P.
Respondent

Dated: 12/1/08

I consent to the entry of
this order as to form.


Eric B. Morrell, Esq.

Dated: 12-1-08